APPENDIX A

IN THE

Supreme Court of the United States

OCTOBER TERM, 1970

NO. _____

BENJAMIN COHEN,

Petitioner,

vs.

CENTRAL NATIONAL BANK OF JACKSONVILLE,

Respondent.

APPLICATION FOR EXTENSION OF TIME IN WHICH TO FILE PETITION FOR WRIT OF CERTIORARI

To the Honorable Hugo L. Black, Circuit Justice for the Fifth Circuit:

Petitioner BENJAMIN COHEN prays that an order be entered extending the time for filing a Petition for Writ of Certiorari to and including November 25, 1970. Petition for Writ of Certiorari is presently due on November 12, 1970.

The judgment sought to be reviewed was entered by the United States Court of Appeals for the Fifth Circuit on August 13, 1970.

This court has jurisdiction under 28 U.S.C. Section 1254 (1).

The question to be presented for review involves the length of notice by mail required when collateral securities are sold pursuant to Florida Statute 685.02 (repealed effective January 1, 1967). Petitioner contends that a three day mailing provision applicable in the Florida Rules of Civil Procedure requires that an additional three days be added to the statutory ten day notice of sale. The United States Court of Appeals for the Fifth Circuit affirmed the decision of the United States District Court for the Middle District of Florida.

This extension of time is requested since counsel for Petitioner recently moved his office and did not have access to his files for several weeks. In addition counsel for Petitioner is at some distance from The United States District Court for the Middle District of Florida so that counsel has been handicapped in the preparation of this Petition.

No prejudice to Respondent will result from the granting of this requested extension.

WHEREFORE Petitioner respectfully requests an order extending the time for filing Petition For Writ of Certiorari to and including November 25, 1970.

Respectfully submitted,

MILTON E. GRUSMARK and
NATALIE BASKIN
Attorneys for Petitioner
2201 Collins Avenue
Miami Beach, Florida

By: /s/ Natalie Baskin
Natalie Baskin

I HEREBY CERTIFY that a true copy of the foregoing Application For Extension Of Time In Which To File Petition For Writ Of Certiorari was mailed to James M. McLean, Attorney for Respondent, 1300 Florida Title Building, 108 West Forsyth Street, Jacksonville, Florida on this 10th day of November, 1970.

By: s Natalie Baskin

Natalie Baskin